

## SENATE BILL No. 282

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 27-8-6-6; IC 27-13-36.2-7.

**Synopsis:** Reimbursement of nonphysician certified surgical assistants. Requires a group or individual accident and sickness insurance policy to provide reimbursement to an insured for intraoperative surgical care services provided by a nonphysician certified surgical assistant. Requires a health maintenance organization contract to provide payment for intraoperative surgical care services provided by a nonphysician certified surgical assistant.

**Effective:** July 1, 2002.

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**Gard**

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January 7, 2002, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## SENATE BILL No. 282

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 27-8-6-6 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2002]: **Sec. 6. (a) As used in this section, "nonphysician certified**  
4 **surgical assistant" means a certified surgical assistant, a certified**  
5 **surgical technologist/certified first assistant, or a certified**  
6 **registered nurse first assistant who:**

7       **(1) is:**

8           **(A) an unlicensed health care provider who is supervised**  
9           **by a physician licensed under IC 25-22.5; or**

10          **(B) a nurse licensed under IC 25-23;**

11       **(2) provides intraoperative surgical care; and**

12       **(3) is certified by one (1) of the following:**

13           **(A) The National Surgical Assistant Association on the**  
14           **Certification of Surgical Assistants.**

15           **(B) The Liaison Council on Certification of Surgical**  
16           **Technologists.**

17           **(C) The National Certification Board of Perioperative**



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**Nursing.**

(b) As used in this section, "intraoperative surgical care" means assistance provided to an operating physician during an operative procedure. The term includes the following:

- (1) Positioning the patient.
- (2) Preparing and draping the patient for an operative procedure.
- (3) Observing the operative site during the operative procedure.
- (4) Assisting in closing incisions or dressing wounds.
- (5) Providing the best possible exposure of the anatomy involved in the operative procedure.
- (6) Performing any task that is:
  - (A) relevant to the operative procedure; and
  - (B) required by the operating physician.

(c) A policy of accident and sickness insurance (as defined in IC 27-8-5-1) that is issued on an individual or a group basis must provide reimbursement to an insured for intraoperative surgical care services provided by a nonphysician certified surgical assistant who is acting within the scope of the nonphysician certified surgical assistant's certification in the same manner as the policy provides reimbursement to an insured for services provided by a physician licensed under IC 25-22.5 who is acting within the scope of the physician's license.

(d) This section does not require coverage under a policy of accident and sickness insurance for a service that is not otherwise covered under the terms of the policy.

SECTION 2. IC 27-13-36.2-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 7. (a) As used in this section, "nonphysician certified surgical assistant" means a certified surgical assistant, a certified surgical technologist/certified first assistant, or a certified registered nurse first assistant who:

- (1) is:
  - (A) an unlicensed health care provider who is supervised by a physician licensed under IC 25-22.5; or
  - (B) a nurse licensed under IC 25-23;
- (2) provides intraoperative surgical care; and
- (3) is certified by one (1) of the following:
  - (A) The National Surgical Assistant Association on the Certification of Surgical Assistants.
  - (B) The Liaison Council on Certification of Surgical



1 Technologists.

2 (C) The National Certification Board of Perioperative  
3 Nursing.

4 (b) As used in this section, "intraoperative surgical care" means  
5 assistance provided to an operating physician during an operative  
6 procedure. The term includes the following:

7 (1) Positioning the patient.

8 (2) Preparing and draping the patient for an operative  
9 procedure.

10 (3) Observing the operative site during the operative  
11 procedure.

12 (4) Assisting in closing incisions or dressing wounds.

13 (5) Providing the best possible exposure of the anatomy  
14 involved in the operative procedure.

15 (6) Performing any task that is:

16 (A) relevant to the operative procedure; and

17 (B) required by the operating physician.

18 (c) An individual contract or a group contract must provide  
19 payment for intraoperative surgical care services provided by a  
20 nonphysician certified surgical assistant who is acting within the  
21 scope of the nonphysician certified surgical assistant's certification  
22 in the same manner as the contract provides payment for  
23 intraoperative surgical care services provided by a physician  
24 licensed under IC 25-22.5 who is acting within the scope of the  
25 physician's license.

26 (d) This section does not require coverage under an individual  
27 contract or a group contract for a health care service that is not  
28 otherwise covered under the terms of the contract.

29 SECTION 3. [EFFECTIVE JULY 1, 2002] IC 27-8-6-6, as added  
30 by this act, applies only to accident and sickness insurance policies  
31 that are issued, delivered, executed, amended, or renewed after  
32 June 30, 2002.

33 SECTION 4. [EFFECTIVE JULY 1, 2002] IC 27-13-36.2-7, as  
34 added by this act, applies only to health maintenance organization  
35 contracts entered into, delivered, executed, amended, or renewed  
36 after June 30, 2002.

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